

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

JAN 11 2008

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

RICHARD KIRKLEWSKI,)
)
Plaintiff,)
)
v.)
)
PORCHLIGHT, INC., *et al.*,)
)
Defendants.)

Civil Action No. **08 0051**

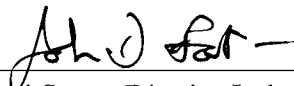
MEMORANDUM OPINION

This matter comes before the Court upon review of plaintiff's application for leave to proceed *in forma pauperis* and *pro se* complaint. The application will be granted but the complaint will be dismissed.

Plaintiff alleges that he "endured an away-from-home trip and fall injury requiring currently ongoing medicinal care." Compl. ¶ 1. He brings this negligence action against twelve defendants, all of which appear to be commercial or governmental entities or individuals in Madison, Wisconsin. *See id.* ¶¶ 2-5 & Caption Supplement.

Federal district courts have jurisdiction in civil actions arising under the Constitution, laws or treaties of the United States. *See* 28 U.S.C. § 1331. In addition, federal district courts have jurisdiction over civil actions where the matter in controversy exceeds \$75,000, and is between citizens of different states. *See* 28 U.S.C. § 1332(a). This case does not appear to raise a federal question. Because all parties appear to reside or conduct business in the same state, plaintiff does not establish diversity of citizenship. For this reason, the complaint will be dismissed for lack of subject matter jurisdiction.

An Order consistent with this Memorandum Opinion will be issued separately on this same date.



United States District Judge

Date: *January 7, 2008*